

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.8092 of 2021

Manoranjan Behera

....

Petitioner

Mr.A.R.Panda, *Advocate.*

-versus-

State of Odisha

....

Opp. Party

Mr. K.K.Nayak, Addl. Standing Counsel

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.01.2022

Order No.

03. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. This is an application under Section 439 Cr.P.C. filed by the Petitioner for bail in connection with Balasore Sadar P.S.Case No.240 of 2021 corresponding to C.T.Case No.618 of 2021, pending in the Court of the learned J.M.F.C.(R), Balasore for commission of the alleged offences under sections 341,376,506 of the Indian Penal Code read with Section 66(E) of I.T.Act
3. Heard learned counsel for the parties and perused the case diary, F.I.R. statements of the victim recorded by the Police during investigation as well as in her statement recorded under section 164 Cr.P.C..
4. In course of hearing, learned counsel for the Petitioner submits that there is no medical evidence supporting the version of the victim in her statement recorded under Section 161 as well as 164 Cr.P.C.

Moreover, the victim in her statement admitted about previous dispute with regard to the landed properties and the petitioner has threatened them to throw out of the house.

5. Upon consideration of the submissions made by the respective parties as well as on perusal of the records and on consideration of the peculiar facts and circumstances of the case and the fact that the petitioner is in jail custody since the date of his arrest i.e. from 14th July, 2021, I am inclined to release the Petitioner on bail in the aforesaid case on furnishing a bail bond of Rs.20,000/- (twenty thousand) with one solvent surety for the like amount to the satisfaction of the learned court in seisin over the matter subject to the conditions that the Petitioner shall not tamper with the evidence and threaten the witnesses in any manner whatsoever. Further it is open to the Court in seisin over the matter to impose any other conditions as deemed fit and proper in the facts and circumstances of the case.

6. The BLAPL is accordingly disposed of.

7. Issue urgent certified copy as per Rules.

(A.K. Mohapatra)
Judge

RKS